3763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

~10/023,587

Confirmation No.:

Applicant

MAR: ^{2, 9, 2004} ANTHONY R. PEREZ ET AL.

Filing Date

\$)2/17/2001

Title

DISPOSABLE SELF-SHIELDING UNIT DOSE SYRINGE GUARD

Group Art Unit

3763

Examiner

Michael J. Hayes

Docket No.

706737.41

Customer No.

34313

Mail Stop Patent Application Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING (37 CFR §1.8)

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Dated: March 25, 2004

Karen Johnson

DOCSOC1:148984.1

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ANTHONY R. PEREZ ET AL.

Applicant Appl. No. Examiner Docket No.

10/023,587 Michael J. Hayes 706737.41

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

	This ID	OS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b),
that is	(1) with	nin three months of the filing date of the application, which is not a continued
prosec	ution a	pplication filed under § 1.53(d); or (2) within three months of entry of the national
stage a	as set f	orth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the
merits;	or (4)	before the mailing of a first Office action after filing a request for continued
examin	ation u	under § 1.114. Thus, no fee is required.
		However, if the undersigned is in error in this regard, Applicant respectfully
		requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if
		applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit
		account referenced below.
		However, if the undersigned is in error in this regard, Applicant respectfully
		requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if
		applicable, and a statement under 37 CFR § 1.97(e) is included below, thus
		no fee is required.
\boxtimes	This ID	OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office
action o	on the	merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance
under 3	37 CFF	R§ 1.311.
		The fee due under 37 CFR § 1.17(p) is submitted herewith.
	\boxtimes	A statement under 37 CFR § 1.97(e) is included below, thus no fee is
		required. In the event that this IDS is not received before a Final Action or a
		Notice of Allowance, then Applicant respectfully requests that the Office
		consider the filing of these papers to be submitted under 37 CFR § 1.97(d)
		and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
	This ID	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37
CFR §	1.113	or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue
		ent under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR
§ 1.17(p) is su	ubmitted herewith.

ANTHONY R. PEREZ ET AL.

Applicant Appl. No. Examiner

10/023,587

Michael J. Hayes

Docket No. 706737.41

	STATEMENT UNDER 37 CFR § 1.97(e):
	Each item contained in this IDS was first cited in any communication from a foreign
patent	t office in a counterpart foreign application not more than three months prior to the filing of
this IC	OS.
\boxtimes	No item contained in this IDS was cited in a communication from a foreign patent office
in a co	ounterpart foreign application, and, to the knowledge of the person signing this statement
after r	making reasonable inquiry, no item of information contained in this IDS was known to any
individ	dual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.
	PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:
	A check in the amount of is enclosed for the above fee(s).
	Please charge to Deposit Account No. 15-0665 for the above fee(s).
\boxtimes	The Commissioner is authorized to charge any fees required by the filing of these
	papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit
	Account No. 15-0665.
	Respectfully submitted,
	ORRICK, HERRINGTON & SUTCLIFFE LLP

ORRICK, HERRINGTON & SUTCLIFFE LLP 4 Park Plaza, Suite 1600 Irvine, CA 92614 949/567-6700 Telephone 949/567-6710 Facsimile

Dated: March 25, 2004

Reg. No. 19,297

Approved for use through 05/31/2003. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		Complete if Known	
010		Application Number	10/023,587
NFORMATION DISCLOSURE		Filing Date	12/17/2001
MAR 2 STATEMENT BY APPLICANT		First Named Inventor	Anthony R. Perez
29 2004		Group Art Unit	3763
(use as many sheets as necessary)		Examiner Name	Michael J. Hayes
1 of	1	Attorney Docket Number	706737.41

		U.S. Patent Document		U.S. PATENT DOCUMENT	Date of Publications of	Pages, Columns, Lines, Where
Examiner Initials	Cite No. ¹	Number	Kind Code ²	Name of Patentee or Applicant of Cited Document	Cited Documents MM-DD-YYYY	Relevant Passages or Relevant Figures Appear
	1	5,242,416	A	Hutson	09/07/1993	
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FOREIGN PATENT DOCUMENTS									
		Foreign Patent Document					Pages, Columns, Lines,		
Examiner Initials	Cite No. ¹	Office ³	Number⁴	Kind Code⁵	Name of Patentee or Applicant of Cited Document	Date of Publications of Cited Documents MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T	
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials'	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
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Examiner	DOCSOC1:148983.1	Date	
Signature		Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.)). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.